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13 Attorneys for Defendants

14 R&R Auction Company LLC and

15 Roger Epperson d/b/a/ Signed Sealed and

16 Delivered and Roger Epperson Authentication,

17 Ltd.

18 **UNITED STATES DISTRICT COURT**

19 **CENTRAL DISTRICT OF CALIFORNIA**

20 Nelson Deedle, an individual; and  
21 Iconographs, Inc., a Nevada Corporation.

22 Plaintiffs,

23 v.

24 Collectors Universe, Inc., a Delaware  
25 Corporation, doing business as PSA/DNA;  
26 James Spence Authentication LLC, a New  
27 Jersey Limited Liability Company; R&R  
28 Auction Company, LLC; Roger Epperson  
doing business as Signed Sealed and  
Delivered and Roger Epperson  
Authentication, Ltd; Steve Cyrkin,  
individually and doing business as  
live.autographmagazine.com; and  
Momentica, LLC, a California Limited  
Liability Company,

Defendants.

CASE NO. 2:15-cv-05288-MMM-MRW

**R&R AUCTION COMPANY, LLC'S  
AND ROGER EPPERSON'S  
JOINT NOTICE OF MOTION AND  
JOINT MOTION TO DISMISS  
PLAINTIFFS' AMENDED  
COMPLAINT**

DATE: FEBRUARY 1, 2016

TIME: 10:00 A.M.

COURTROOM: 780

Hon. Margaret M. Morrow

Action filed: July 14, 2015

1 TO ALL PARTIES AND TO THEIR RESPECTIVE ATTORNEYS OF  
2 RECORD:

3 PLEASE TAKE NOTICE that at 10:00 a.m. on February 1, 2016, or as  
4 soon thereafter as this matter may be heard, in Courtroom 780 of the United States  
5 District Court for the Central District of California (Southern Division), located at 411  
6 West Fourth Street, Santa Ana, California 92701-4516, Defendants R&R Auction  
7 Company, LLC ("RR Auction") and Roger Epperson d/b/a "Signed Sealed and  
8 Delivered" and d/b/a "Roger Epperson Authentication, Ltd." ("Epperson") shall and  
9 hereby jointly moves to dismiss the Amended Complaint, and each and every cause of  
10 action therein, of Plaintiffs Nelson Deedle and Iconographs, Inc., pursuant to Fed. R.  
11 Civ. P. 12(b)(1), 12(b)(2), 12(b)(3) and 12(b)(6).

12 This Motion is made on the grounds that: (1) that each cause of action in  
13 Plaintiffs' Amended Complaint fails to state a claim upon which relief may be granted;  
14 (2) the Court's dismissal of Count I of the Complaint would divest the Court of subject  
15 matter jurisdiction, as complete diversity of citizenship would not exist; (3) the Court  
16 lacks personal jurisdiction over Epperson; and (4) venue is not proper in the Central  
17 District of California as against Epperson.

18 This Motion is based on this Notice of Motion, the Memorandum of Points  
19 and Authorities in support thereof, the accompanying Declaration of Roger Epperson  
20 (only as to the Rule 12(b)(2) and Rule 12(b)(3) portions of the Motion applicable to  
21 Epperson), the pleadings and papers on file in this action and on such other matters as  
22 the Court may consider before ruling on this Motion.

23 This Motion is made following a conference of counsel pursuant to L.R.  
24 7.3 which took place on August 27, 2015. Subsequent efforts by RR Auction's and  
25 Epperson's counsel – by emails of October 16 and October 19 – to reconvene for a  
26 further conference have not been responded to by Plaintiffs' counsel or otherwise  
27 acknowledged.  
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1 Respectfully submitted,

2 DATED: October 22, 2015

MEYLAN DAVITT JAIN AREVIAN & KIM LLP

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5 By: /s/ Anita Jain

6 Anita Jain

7 Attorney for Defendants

8 R&R Auction Company, LLC and

9 Roger Epperson d/b/a/ Signed Sealed and

Delivered and Roger Epperson Authentication,  
Ltd.

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11  
12 DATED: October 22, 2015

BURNS & LEVINSON LLP

13  
14  
15 By: /s/ George N. Tobia, Jr.

16 George N. Tobia, Jr.

17 Attorney for Defendants

18 R&R Auction Company, LLC and

19 Roger Epperson d/b/a/ Signed Sealed and

Delivered and Roger Epperson Authentication,  
Ltd.

20 4844-0822-4553.1